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Message Text

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PAGE 01 STATE 048575
ORIGIN EB-08

INFO OCT-01 EUR-12 ISO-00 L-03 TRSE-00 LOC-01 /025 R

DRAFTED BY EB/IFD/BP:HJWINTER/SRPRUETT:VJW
APPROVED BY EB/IFD/BP:HJWINTER
L/EB - JCROOK
EB/IFD/OMA - TFORBOARD
EUR/WE - SJBEIGEL
TREASURY - SHANNES
----------050745Z 039307 /13
R 041940Z MAR 77
FM SECSTATE WASHDC
TO AMEMBASSY PARIS

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E.O. 11652: N/A

TAGS: EIND, EFIN, FR

SUBJECT: FRENCH VALUE-ADDED TAX ON ASCAP

REF: STATE 4337, PARIS 8588

1. STEPHEN BOYD AND JOHN CHAMBERLAIN OF THE PARIS BRANCH OF THE WASHINGTON LAW FIRM, SURREY, KARASIK, MORSE AND GOEKJIAN, MET WITH THE LEGAL ADVISER'S OFFICE (L/EB) AND THE OFFICE OF BUSINESS PRACTICES (EB/IFD/BP) ON FEBRUARY 24 TO DISCUSS A TAX DISPUTE WITH THE FRENCH AUTHORITIES INVOLVING THE AMERICAN SOCIETY OF COMPOSERS, AUTHORS AND PUBLISHERS (ASCAP). ASCAP IS CONTESTING IMPOSITION OF RETROACTIVE VALUE-ADDED TAXES (VAT) ON ROYALTIES COL-LECTED ON ITS BEHALF BY SACEM, A COMPARABLE FRENCH PERFORMING RIGHTS SOCIETY. BOYD SWGGESTED THAT ASCAP MAY MAKE ARGUMENTS BASED ON U.S.-FRENCH ESTABLISHMENT TREATY,
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PAGE 02 STATE 048575

BUT DID NOT REQUEST USG SUPPORT ON POSSIBLE TREATY CLAIMS DURING MEETING.

2. BOYD AND CHAMBERLAIN SAID THAT ASCAP ASSISTANT GENERAL COUNSEL, MS. GLORIA MESSENGER, MET WITH ROMANS KLIMKIEWICZ, IRS REGIONAL SERVICE REPRESENTATIVE, ON JANUARY 12 TO DIS-CUSS THIS MATTER. SUBSEQUENTLY, ACCORDING TO BOYD, THE IRS

Margaret P. Grafeld Declassified/Released US Department of State EO Systematic Review 22 May 2009

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WROTE A LETTER TO A FRENCH OFFICIAL (KERLAN) INQUIRING ABOUT THE MATTER. BOYD ALSO INFORMED THE DEPARTMENT THAT A VERY USEFUL MEETING WAS HELD WITH EMBASSY OFFICERS ON FEBRUARY 17 TO DISCUSS THIS PROBLEM.

3. DEPARTMENT WOULD APPRECIATE REPORT ON (A) ANY RESPONSE OR REACTION TO KLIMKIEWICZ LETTER; (B) FEBRUARY 17 MEETING WITH EMBASSY OFFICERS; (C) ANY INFORMATION ON DIPLOMATIC INTERVENTIONS BY OTHER INTERESTED GOVERNMENTS WHOSE PERFORMING RIGHTS SOCIETIES ARE AFFECTED BY THE VAT ON ROYALTIES; (D) EMBASSY ASSESSMENT OF ASCAP SITUATION.

4. BROADCAST MUSIC INCORPORATED (BMI), THE OTHER MAJOR U.S. PERFORMING RIGHTS SOCIETY, HAS ALSO CONTACTED THE DEPARTMENT AND EXPRESSED ITS CONCERN ABOUT THIS MATTER SINCE IT WILL ALSO BE AFFECTED BY THE VAT ON ROYALTIES. CHRISTOPHER

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Message Attributes

Automatic Decaptioning: X
Capture Date: 01-Jan-1994 12:00:00 am
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: DISPUTES, TAX COLLECTIONS, ARTISTS
Control Number: n/a
Copy: SINGLE
Sent Date: 04-Mar-1977 12:00:00 am
Decaption Date: 01-Jan-1960 12:00:00 am
Decaption Note:
Disposition Action: RELEASED
Disposition Approved on Date:
Disposition Case Number: n/a
Disposition Comment: 25 YEAR REVIEW
Disposition Date: 22 May 2009
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
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Enclosure: n/a
Executive Order: N/A
Errors: N/A
Expiration:
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Format: TEL
From: STATE
Handling Restrictions: n/a
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Litigation History:
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Original Classification: LIMITED OFFICIAL USE
Original Handling Restrictions: n/a
Original Previous Classification: n/a
Original Previous Handling Restrictions: n/a
Page Count: 2
Previous Channel Indicators: n/a
Previous Classification: LIMITED OFFICIAL USE
Previous Handling Restrictions: n/a
Reference: 77 STATE 4337, 77 PARIS 8588
Retention: 0
Review Action: RELEASED, APPROVED
Review Content Flags:
Review Date: 03-Feb-2005 12:00:00 am
Review Event:
Review Exemptions: n/a
Review Media Identifier:
Review Release Date: n/a
Review Release Event: n/a
Review Transfer Date:
Review Withdrawn Fields: n/a
SAS ID: 3203446
Secure: OPEN
Status: NATIVE
Subject: FRENCH VALUE-ADDED TAX ON ASCAP
TAGS: EIND, EFIN, FR, US, ASCAP, (CHAMBERLAIN, JOHN), (BOYD, STEPHEN)
To: PARIS
Type: TE
vdkvgwkey: odbc://SAS/SAS.dbo.SAS_Docs/48abadbd-c288-dd11-92da-001cc4696bcc
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